REMARKS

Claims 1-10 and 12-18 are pending in the application. Claim 11 has been objected to based on an informality, as described in paragraph 3 of the Office Action. Claims 1-3 and 10-13 were rejected under 35 U.S.C. §102(b), as described in paragraph 5 of the Office Action. Claims 8 and 18 were rejected under 35 U.S.C. §102(b), as described in paragraph 6 of the Office Action. Claims 4, 6-7, 14 and 16-17 were rejected under 35 U.S.C. §103(a), as described in paragraph 8 of the Office Action. Claims 5 and 15 were rejected under 35 U.S.C. §103(a), as described in paragraph 9 of the Office Action. Claim 9 was rejected under 35 U.S.C. §103(a), as described in paragraph 10 of the Office Action. Claims 1 and 8 are the only independent claims.

Claim 1 has been amended to require predetermined data to be output in accordance with the matching status information "when the code is judged not to be part of the packet start code." Each of claims 1-9 have been amended to avoid being construed under 35 U.S.C. § 112, sixth paragraph and to avoid narrowing the scope of the claims as previously presented. The remainder of the amendments to the claims generally place the claims in better U.S. form without narrowing the scope of the claims as previously presented.

In the Response filed January 13, 2004, Applicants requested that the Examiner acknowledge receipt of the certified copy of the priority document. However, paragraph 1 of the Office Action indicates that "the copies of the priority documents contain no certification." On September 7, 2004, the undersigned contacted Mr. Harry Kim at the USPTO PCT Help Desk to discuss the priority situation described in paragraph 1 of the Office Action. Mr. Kim reviewed the electronic file of the application, determined that the priority document contained therein is sufficient to meet the requirements under 35 U.S.C. § 119, and indicated that the Examiner should acknowledge receipt of the certified copy of the priority document. Mr. Kim then indicated that he would send an E-mail to the Examiner explaining that the requirements under 35 U.S.C. § 119 have been met and that the Examiner should acknowledge receipt of the certified copy of the priority document.

In light of the above discussion, Applicants respectfully request an acknowledgement that the certified copy of the priority document has been received.

Claim 11 has been cancelled. Accordingly, it is requested that the outstanding objection to claim 11 be withdrawn.

Paragraph 6 of the Office Action indicates that claims 8 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Movshovich et al. (Movshovich). However, it should be noted that Movshovich has an issue date of August 13, 2002, and an application filing date of December 4, 1998. The effective filing date of the present application is December 26, 1997. Accordingly, the present application has an effective filing date that is earlier than, not only, the issue date, but also, the filing date of Movshovich. Therefore, Movshovich is not prior art within the meaning of 35 U.S.C. § 102(b).

In light of the above discussion, it is submitted that the rejection of claims 8 and 18 under 35 U.S.C. § 102(b), be withdrawn.

Movshovich, at most, may qualify as prior art under 35 U.S.C. § 102(e). In this regard, submitted herewith is an English translation of the priority document accompanied with a statement verifying the accuracy of the translation. It is respectfully submitted that at least the subject matter recited in claims 5, 8, 9, 15 and 18 is supported by the English translation.

In light of the above discussion, it is respectfully submitted that each of claims 8 and 18 are patentable over Movshovich within the meaning of 35 U.S.C. § 102.

As discussed in paragraphs 9-10 of the Office Action, Movshovich was relied upon to reject each of claims 5, 9 and 15. As Movshovich is no longer applicable prior art, it is submitted that the outstanding rejections of claims 5, 9 and 15 should additionally be withdrawn.

Applicants respectfully submit that claims 1-4, 6-7, 11-14 and 16-17 are patentable over the prior art of record for the following reasons.

In accordance with one aspect of the present invention, it is not necessary to perform complicated address control of returning a read pointer to a position before a packet boundary when the packet boundary is recognized, as conventionally practiced. More specifically, in accordance

with the present invention, data which should be normally transferred to a decoding buffer (i.e., data which has been read in the past) is output from a data formatter to the decoding buffer according to a matching status of a code sequence indicating the packet boundary. Therefore, the present invention reduces the hardware scale of the coded signal reproduction apparatus. The inventive feature that realizes the benefit of reduced hardware of the coded signal reproduction apparatus is reflected in independent claim 1 as discussed below.

Independent claim 1 is drawn to a coded signal reproduction apparatus comprising:

> a matching status information outputter operable to detect the matching status of a code which is input for every predetermined bit with a prefix code of a packet start code, and to output matching status information of a head part of the packet start code; and a data formatter operable to output predetermined data in accordance with the matching status information **when the code is judged not to be a part of the packet start code**. (Emphasis Added).

It is respectfully submitted that the prior art of record fails to teach the above-identified limitations.

Fujinami et al. (Fujimani) teaches detecting video packet headers and audio packet headers from multiplexed video and audio data. The reference further teaches controlling a switch to separate video data from audio data. As discussed explicitly in the reference, for example in column 15, lines 22-28, a control circuit 25 uses entry points, which have been pre-stored in entry point storage device 41, to determine when to cause switch 23 to switch between a position that outputs video data and a position that outputs audio data. In other words, the entry point storage device 41 uses the entry points as pointers, to direct the control circuit to a start of a packet of video data or the start of a packet of audio data. Therefore, the entry point storage device can be considered a type of complicated address control for a turning a read pointer to a position before a packet boundary. Consequently, Fujinami suffers from the same problems as discussed in the conventional art discussed in the background of the present invention. The method and system as discussed in Fujinami does not have the benefit of reduced hardware of the coded signal reproduction apparatus, in accordance with the present invention, as a direct result of the distinction between the claimed invention and the method and system of Fujinami as discussed below.

The control circuit 24 of Fujinami instructs the switch 23 to output information based entry point data. Therefore, clearly switch 23 is not activated when the code is judged **not** be a part of the packet start code. Accordingly, Fujinami fails to teach outputting data when a code is judged not to be part of a packet start code. In other words, Fujinami fails to teach a data formatter operable to output predetermined data in accordance with the matching status information when the code is judged not to be part of the packet start code.

In light of the above discussion, it is clear that Fujinami fails to teach a data formatter operable to output predetermined data in accordance with the matching status information when the code is judged not be a part of the packet start code, as required in independent claim 1.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the foregoing, it is clear that Fujinami does not anticipate claim 1.

Furthermore, since claims 2-4, 6-7, 11-14 and 16-17 are dependent upon claim 1, and therefore include all the limitations thereof, Applicants submit that claims 2-4, 6-7, 11-14 and 16-17 additionally are not anticipated by Fujinami.

In light of the above discussion, it is requested that the outstanding rejection of claims 1-3 and 11-13 under 35 U.S.C. § 102(b), be withdrawn.

Boden fails to teach the shortcomings of Fujinami such that a combination of Fujinami in view of Boden would teach that which is required in independent claim 1.

As discussed on paragraph 8 of the Office Action, Boden is relied upon for allegedly teaching "a start code discrimination unit for discriminating a hierarchy start code of video data in accordance with the historical information," and "a video hierarchy identifier of coded video data which exists in a position corresponding to the latter half of the packet start code."

While not addressing whether Boden in fact teaches that which is alleged in paragraph 8 of the Office Action, it is nevertheless respectfully submitted that Boden fails to teach a data formatter operable to ouput predetermined data in accordance with the matching status information when the code is judged not to be part of the packet start code, as required in independent claim 1.

Because neither one of Fujinami nor Boden teaches or suggests a data formatter, as required in independent claim 1, a combination of the teachings of Fujinami in view of Boden would additionally fail to teach that which is required in independent claim 1.

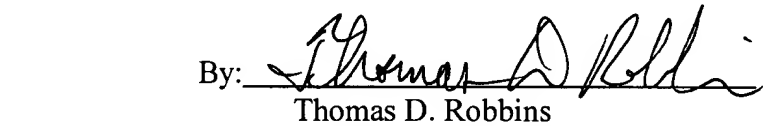
Therefore, it is submitted that each of claims 1-4, 6-7, 11-14 and 16-17 are additionally patentable over the combination of Fujinami in view of Boden within the meaning of 35 U.S.C. § 103.

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

Ryoji YAMAGUCHI et al.

By: 

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